BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

RONALD D. HAGGERTY Claimant)
VS.))) Docket No. 195,236
ESSEX GROUP, INC. Respondent)))
AND	
NATIONAL UNION FIRE INSURANCE CO. Insurance Carrier	

ORDER

Respondent appeals from a decision of Administrative Law Judge Floyd V. Palmer dated March 15, 1996, wherein Judge Palmer denied respondent's motion for extension of its terminal date.

ISSUES

Respondent lists the following specific issues for review:

- A. "The Administrative Law Judge in his ruling of March 15, 1996 made a finding that good cause does not exists [sic] for the granting of the motion for extension of time thereby precluding the cross-examination of the appointed health care provider who performed an evaluation and provided his opinion as to the claimant's alleged impairment despite the fact that such extension was filed for within five (5) days of receipt of the health care providers [sic] report."
- B. "Any and all other issues raised at the hearing on the motion that can be properly raised before the Board."

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based upon the evidence presented the Appeals Board finds as follows:

IT IS SO ORDERED.

The Appeals Board finds the issues raised by the respondent do not constitute appealable issues under either K.S.A. 44-534a as amended by S.B. 649 (1996) or K.S.A. 44-551 as amended by S.B. 649 (1996). The Administrative Law Judge's decision to grant or deny extensions of terminal dates falls within the powers granted to an administrative law judge in maintaining his docket. This ruling by the Administrative Law Judge is an interlocutory order assisting the Administrative Law Judge in the maintenance of his docket. It is neither an order dealing with an appealable issue listed in K.S.A. 44-534a, as amended by S.B. 649 (1996) nor a transcendence of the Administrative Law Judge's jurisdiction under K.S.A. 44-551, as amended by S.B. 649 (1996) nor is it a final award upon which review can be granted by the Appeals Board.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the ruling by Administrative Law Judge Floyd V. Palmer on March 15, 1996, denying respondent's Motion for Extension of Terminal Date is not properly before the Appeals Board and the respondent's Application for Review should be, and is hereby, dismissed.

Dated this day of	June 1996.	
	BOARD MEMBER	
	BOARD MEMBER	
	BOARD MEMBER	

c: Frederick J. Patton II, Topeka, KS Matthew S. Crowley, Topeka, KS Floyd V. Palmer, Administrative Law Judge Philip S. Harness, Director